

Appendix F
HiLine March 13, 2018 Oil and Gas Lease Sale EA
Response to Comments

Scoping Comments submitted from:

1. Center for Biological Diversity
2. MT Fish, Wildlife, and Parks
3. US Army Corps of Engineers
4. US Fish and Wildlife Service

EA Comments submitted from:

1. Center for Biological Diversity, with Wild Earth Guardians
2. Earth Justice, with Northern Plains Resource Council, David Katz, and Jack and Bonnie Martinell
3. MT Fish, Wildlife and Parks
4. Northern Cheyenne (Teanna Limpy)
5. The Wilderness Society with Montana Wilderness Association
6. Wild Earth Guardians, with 350 Montana, Center for Biological Diversity, Earthworks, Montana Environmental Information Center, Park County Environmental Council, Preserve the Beartooth Front, and Western Environmental Law Center
7. Wild Earth Guardians constituents (over 100 nearly identical form letters)

NEPA

Comment Number	Name	Comment Period	Comment Summary
1	USACOE	Scoping	Currently, a moratorium is on parcels for Corps-owned and Corps-managed properties. None of these parcels appear to be located beneath Corps-owned or operated surfaces; nor do the Federal minerals of this parcel fall under the jurisdiction of the Corps. The Corps has no additional comments at this time.
BLM Response: Thank you for your comments. The BLM would conduct additional NEPA at the APD stage, and project proponents would be required to obtain all necessary permits prior to site disturbance.			
2	Wild Earth Guardians	EA	<p>The BLM Improperly Segments the March 2018 Lease Sale into Four Environmental Assessments.</p> <p>NEPA provides that to adequately assess the environmental impacts of a proposed action, BLM must assess three types of actions: (1) connected actions, (2) cumulative actions, and (3) similar actions. 40 C.F.R. § 1508.25. The purpose of this requirement [40 C.F.R. § 1508.25] is to prevent an agency from dividing a project into multiple actions, each of which individually has an insignificant environmental impact, but which collectively have a substantial impact. Unfortunately, that is precisely what the BLM is doing here. For example, the Butte and Billings Field Office lease sale parcels are directly adjacent to each other geographically. Additionally, the BLM admits in its EAs that wells from these parcels could be drilled into the same formation—the Crazy Mountains Basin. See Billings FO EA at 15–16; Butte FO EA at 12. Thus, at a minimum, the lease parcels for the Butte and Billings FO’s are cumulative, similar actions based on the on-the-ground impacts, geographic location, and timing. Furthermore, all of the lease parcels, not just those in the Butte and Billings FO, must be analyzed in a single NEPA document to properly assess the cumulative impacts of greenhouse gas emissions.</p>
BLM Response: The BLM prepared four EAs for the March 2018 primarily due to workload considerations (i.e., ID Teams from each FO worked on their specific EAs). All EAs tier to the respective RMPs, and these RMPs contain cumulative impacts at the appropriate scales for the full RFDs done in each FO. The decisions on what areas to not lease, lease with standard, moderate, or major stipulations is done at the RMP level in order to look at the larger picture of impacts (including cumulative impacts). There are no ground-disturbing activities authorized at the leasing stage.			
3	Wild Earth Guardians	EA	<p>The BLM Improperly Defers Its Site-Specific NEPA Analyses to the Application Permit to Drill Stage, which fails to provide any meaningful analysis of connected actions, and fails to adequately consider cumulative effects.</p> <p>The BLM attempts to further segment its analysis by claiming that it will conduct site-specific NEPA analyses at the Application Permit to Drill (“APD”) stage. NEPA is not designed to postpone analysis of an environmental consequence to the last possible moment.” This is especially the case if postponing analysis results in a piecemeal look at the impacts. See 40 C.F.R. § 1508.27 (“Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.”). Because drilling cannot occur without the BLM first leasing the minerals, leasing and drilling are interdependent, connected actions. Thus, the BLM must estimate the impacts of drilling these wells at the lease sale stage. Leasing also conveys a right to develop and is thus considered an irretrievable commitment of resources. NEPA requires that agencies prepare an EIS before there is “any</p>

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			irreversible and irretrievable commitment of resources.” The need to do a full NEPA at the lease sale stage is further supported by the fact that the BLM frequently approves APDs without further NEPA analysis. For example, on September 27, 2017, the Billings FO approved an APD for an oil well and pipeline through a categorical exclusion. Exhibit 1, Vanguard EBET2-390 APD, DOI-BLM-MT-A010-2G17-0058-CX. Other BLM Field Offices frequently use categorical exclusions as well, and use of these is very likely to increase under the current administration.
<p>BLM Response: BLM is tiering to and incorporating by reference all impacts from the HiLine RMP (2015) and associated Final EIS. BLM completes an EA if the analysis and if we can support a FONSI, then there is no need for an EIS. In addition, surface disturbance is not part of the proposed action. At the time of this review it is unknown whether or not a particular parcel will be sold and a lease issued and what potential impacts to those resources may occur. The EA uses a reasonable foreseeable development scenario based on the RMP to estimate potential effects.</p> <p>A detailed site-specific analysis and mitigation of activities associated with any particular lease would occur when a lease holder submits an application for permit to drill (APD). This could include re-evaluating the area for protected species and habitat, additional conditions of approval (COAs) and involvement of external entities (e.g. USFWS), as necessary, based on the proposed action. The level of NEPA completed for future APDs (categorical exclusion, EA, or EIS) would be based on site-specific considerations and the significance of effects.</p>			
4	The Wilderness Society	EA	<p>The Draft EA lacks an adequate description of the affected environment.</p> <p>Agencies are required under NEPA to “describe the environment of the areas to be affected or created by the alternatives under consideration.” 40 C.F.R. § 1502.15. The current affected environment sets the “baseline” for the impacts analysis and comparison of alternatives. Here, the Draft EA does not ever reference, let alone describe with the specificity required by NEPA, UMRBNM, even though parcel MTM 108952-BQ directly borders the Upper Missouri River Breaks National Monument.</p> <p>Not only does parcel MTM 108952-BQ border UMRBNM, it lies within the Bullwhacker area, which the proclamation describes as “some of the wildest country on all the Great Plains,” and which likely explains why the area is managed under BLM’s second strongest Visual Resource Management classification (Class II). Draft EA at 65. Because BLM has failed to disclose the existence of UMRBNM, and has thus failed entirely to evaluate the direct, indirect and cumulative impacts of parcel MTM 108952-BQ on UMRBNM, the Draft EA does not comply with NEPA.</p>
<p>BLM Response: The visuals analysis in the EA was updated to note parcel 108952-BQ’s proximity to the Upper Missouri River Breaks National Monument.</p>			
5	The Wilderness Society	EA	<p>The Draft EA lacks a reasonable range of alternatives.</p> <p>For this lease sale, BLM has not considered any alternatives that fall between the two extremes, and instead just considered the “No Action” and “Proposed Action,” under which BLM would lease all twenty-four parcels evaluated in the Draft EA. Draft EA at 10-11. For example, BLM did not consider offering parcel MTM 108952-BQ with a no-surface occupancy stipulation or deferring this lease, given that it borders UMRBNM and “some of the</p>

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			wildest country on all the Great Plains. . . .” Nor did BLM evaluate any additional deferrals for the proposed leases in PHMAs and GHMAs, in spite of a legal obligation to do so under the HiLine Approved Resource Management Plan (ARMP) and associated policy guidance. Because BLM has not evaluated these or any other “middle-ground” alternatives, it has violated NEPA.
<p>BLM Response: BLM analyzed all parcels in the EA to determine what stipulations from the RMP needed to be applied and if those stipulations are still adequate. The HiLine ARMP is a very recent RMP and a robust analysis was done on the stipulations and management actions for Greater Sage-grouse and all other resources. The EA (Section 2.2) includes discussion of alternatives considered but eliminated. Parcel MTM 105431-HQ (Glasgow) was removed from the lease sale pending a decision from the Interior Board of Land Appeals (IBLA) regarding termination of an existing lease. Although a decision was made on the case July 25, 2017, there was not adequate time to determine the validity of the new nomination prior to this lease sale.</p> <p>The BLM reviewed all of the public comments and identified no surface occupancy or other stipulations that protect resources and address public concerns. With respect to sage-grouse, two of the parcels (MTM 19010-B9 and 79010-C1) were deferred from previous lease sales prior to BLM’s approval of the 2015 sage-grouse amendments in the ARMP. Now that RMP level standards are in place to conserve sage grouse habitat, these parcels were included in the March 13, 2018 lease sale. See Comment 31.</p> <p>The BLM reviewed this comment with respect to consider a No Surface Occupancy stipulation or deferring parcel 108952-BQ due to proximity to the Monument and perceived impacts. Parcel BQ is covered by Stipulation CSU 12-64, which states, “in order to retain the existing character of the landscape, oil and gas development activities will be located, designed, constructed, operated, and reclaimed so that activities should not attract attention to the casual observer within 2 years from initiation of construction. Based upon the application of BLM BMPs to minimize contrasts to the existing landscape, and CSU 12-64, potential impacts from oil and gas development would be extremely low, including impacts to the UMRBNM. CSU 12-64 was accidentally omitted from parcel BQ in Appendix A, and that error has been corrected. Parcel BQ is also covered by no surface occupancy stipulations for water resources and National Historic Trails, subject to waivers, exceptions, and modifications (WEMSs). A detailed site specific NEPA review and additional mitigation needs would be addressed at the APD stage. Because existing stipulations have already been identified that address this concern, an alternative to make parcel BQ NSO or defer is not warranted.</p>			
6	Wild Earth Guardians	EA	<p>The BLM fails to analyze and asses a reasonable range of alternatives.</p> <p>BLM admits through its Reasonably Foreseeable Development scenarios for the lease parcels that many of the proposed lease parcels may never see development, it appears the proposed leasing would simply be a major giveaway to the oil and gas industry. While we object to the BLM’s proposal to lease, given the situation, we at least request the agency give detailed consideration to alternatives that address the likelihood that industry is only seeking the proposed leases in order to stockpile reserves and not actually produce oil and gas. In sum, because the BLM’s proposed lease parcels are speculative, risky proposals, the BLM must ensure that the American public is fairly compensated for the costs of the lease sale and development by including alternative with fiscal safeguards. We request the BLM give detailed consideration to the following alternative actions:</p>

Comment Number	Name	Comment Period	Comment Summary
			<p>1) An alternative that imposes a minimum bonus bid higher than \$2.00 per acre to ensure that only serious industry interest in the proposed oil and gas leasing parcels and help to prevent companies from stockpiling federal oil and gas leases as a means to increase their assets and enhance their own financial bottom line.</p> <p>2) An alternative that defers offering the proposed lease parcels for sale until at least 50% of all leased federal oil and gas acres in Nevada are put into production.</p>
<p>BLM Response: BLM must comply with statutory and policy requirements with respect to the timing of lease sales. In accordance with the Federal Onshore Oil and Gas Leasing Reform Act of 1987 and BLM Manual 3120, each BLM state office will hold sales at least quarterly if lands are available for competitive leasing. There is no legal requirement to defer parcels based on development potential.</p> <p>This EA tiers to the HiLine ARMP (2015) and associated FEIS. The FEIS for the ARMP identifies areas of low, moderate, or high development potential, and the ARMP made management decisions for areas open or closed to leasing. The ARMP also allows development of oil and gas resources and put suitable constraints on these development activities. There is a large portion of the RMP area that has major constraints on activities (e.g., exclusion areas for wind or other rights-of-ways, no surface occupancy for oil and gas, etc.). This RMP was developed under the FLMPA and NEPA requirements and follows multiple use and sustained yield requirements. This lease sale analyzed and attached all the appropriate stipulations to allow both development of minerals and protection of resources. An alternative that sets the cost of the minimum bonus bid or defers parcels in Montana based on what is being leased/produced in Nevada is outside the scope of this analysis.</p>			
7	Wild Earth Guardians	EA	<p>The BLM Fails to Analyze the Impacts of Hydraulic Fracturing and Horizontal Drilling.</p> <p>The BLM fails to fully analyze the impacts of hydraulic fracturing (“fracking”) coupled with horizontal drilling in its EAs or the underlying RMPs/FEISs. Fracking coupled with horizontal drilling is now used in the majority of oil and gas wells. According to the U.S. Energy Information Administration (“EIA”), as of 2015, 67% of the U.S.’s natural gas comes from wells that use fracking, and 50% of the U.S.’s oil comes from wells that use fracking. Thus, it is very likely, that the oil and gas industry will use fracking to develop the lease parcels.</p> <p>The BLM fails to analyze these increased impacts in either the EAs for the lease sales or the RMP/FEISs for the field office. All of the EAs for the four areas of the lease sale tier to broader RMPs and Final EISs. The Billings FO EA tiers to the 2015 Billings Field Office Resource Management Plan Amendment and accompanying FEIS.⁵ The Butte FO EA tiers to the 2009 Butte Approved RMP and accompanying FEIS.⁶ The Hi-Line EA tiers to the 2016 Hi-Line RMP and accompanying FEIS. Out of the four RMPs and FEISs referenced above, only the Hi-Line RMP/FEIS comes close to fully analyzing the impacts of fracking coupled with directional drilling. The Billings RMP/FEIS, summarily dismisses the possibility of fracking in its response to comments. See, e.g., Billings RMP/FEIS, Vol. 3, Ch. 5, at 5-87 (“There is no fracking currently occurring in the Billings Field Office and it is unlikely to occur.”) Although the RMP/EIS still includes a description of the process of fracking, it fails to include an analysis of the impacts of fracking and horizontal drilling. See Billings RMP/FEIS Vol. 1, Ch. 3, at 3-188 to 3-190; see generally Chapter 4: Environmental Impacts. This is in spite of evidence that fracking and horizontal drilling has occurred and will likely continue to be used in Carbon County. The Butte RMP/FEIS is even more devoid of any discussion of impacts from</p>

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			fracking and horizontal drilling. Wells that use hydraulic fracturing and horizontal drilling to stimulate production have been drilled into the Cody Shale formation in the Park County area. See Exhibit 2. In sum, none of the BLM's four EAs for the lease parcels, and only three of the underlying RMPs/FEISs, come close to fully addressing the impacts of fracking and horizontal drilling despite evidence that such techniques have been used and are likely to be used in the future. As a result, the BLM's FONSI for the lease sale cannot stand, and the BLM must remove all of the lease parcels from consideration.
<p>BLM Response: Surface disturbance and on-the-ground development are not part of the proposed action. Analyzing on-the ground impacts is outside the scope of the leasing EA. In addition, at the time of this review it is unknown whether or not a particular parcel will be sold and a lease issued. It is also unknown when, where, or if future well sites, roads, and facilities might be proposed. If development were to occur, additional mitigation would be included as Conditions of Approval (COA) on the APD or Sundry Notice. Detailed site-specific analysis and mitigation of activities associated with any particular lease would occur when a lease holder submits an APD. This would include re-evaluating impacts to human health and safety in respect to the proposed action, and applying drilling conditions of approval.</p> <p>The 2015 HiLine District Office ARMP did a robust analysis of potential impacts from horizontal drilling and hydraulic fracturing at the field office level, using an up-to-date reasonably foreseeable development scenario (RFD). Due to the fact that there are no ground-disturbing activities authorized at the leasing stage, it is appropriate to reference/tier to the RMP level effects analysis, and to state that additional site-specific analysis will be completed if/when an APD is received. At this point, the analysis would include information about well locations, well bores, drilling plans, etc. that are not known at the leasing stage.</p>			
8	Wild Earth Guardians	EA	<p>The BLM's Reasonably Foreseeable Development Scenarios for the Billings, Butte, and Hi-Line Parcels Are Not Accurate.</p> <p>The BLM must also analyze the reasonably foreseeable development of the lease parcels in context with current, on-the-ground information. While we appreciate BLM's attempts to calculate the reasonably foreseeable development scenario for the proposed lease parcels, the agency's numbers appear grossly underestimated and completely unrealistic. For example, for the Billings FO parcels, the BLM estimates that out of 76 parcels, only 5.4 wells per year will be developed. See Billings FO EA at 16.9 BLM's assessment of reasonably foreseeable oil and gas wells is based on an overly simplistic assessment of the percentage of lease acreage within the total acreage of a "potential" area. A more logical approach would be one similar to that taken by the Vernal Field Office in Utah. For example, for the December 2017 sale, the Vernal FO presumed that, at a minimum, one well would be developed on every lease parcel offered for sale. The Vernal FO also considered whether the parcel in question was within 2 miles of a well which had produced oil or gas within the past 6 years. This approach addresses the fact that industry has nominated the lease parcels, and therefore, the likelihood of development is higher.</p>
<p>BLM Response: The North Central Montana District is tiering to and incorporating by reference all impacts from the HiLine Final EIS 2013. Anticipated exploration and development activities associated with the lease parcels considered in this EA are within the range of assumptions used and effects described in the EIS. The method used to determine a potential Reasonably Foreseeable Development scenario for the lease sale is described in Section 3.2 of the EA, which states, "The RFD for this EA is based on information contained in the RFD developed for the HiLine FEIS. The RFD contains the number of</p>			

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<p>potential oil and gas wells that could be drilled and produced in the HiLine Planning area (Malta, Glasgow, and Havre field offices), and was used to analyze the potential number of wells drilled for the nominated lease parcels. These well numbers are only an estimate based on historical drilling, geologic data, resource expertise, and current development in the area.</p> <p>It would be inappropriate inaccurate to assume that one well would be developed on every lease parcel offered for sale. In the last 10 years (2007-2016), the BLM has offered 1,765 competitive oil and gas leases for sale in Montana. Of the 1,765 leases offered, 1,027 leases sold (58%). During the same time period, the BLM approved 576 Applications for a Permit to Drill (APD) (56% of the leases sold). Another way to look at it – of all the leases offered for sale in the last 10 years, only one-third of them have approved APDs. Source: Public Land Statistics, US Department of the Interior, BLM. A RFD that assumes one well per parcel would over-estimate the development potential across Montana.</p>			
9	The Wilderness Society	EA	<p>BLM has failed to take the necessary “hard look” at impacts on the UMRBNM.</p> <p>BLM has not taken the required “hard look” at impacts on UMRBNM. Under NEPA, BLM must evaluate the “reasonably foreseeable” site-specific impacts of oil and gas leasing, prior to making an “irretrievable commitment of resources.” Courts have held that BLM makes such a commitment when it issues an oil and gas lease without reserving the right to later prohibit development.</p> <p>Here, BLM is in fact making an “irretrievable commitment of resources” by offering this parcel without reserving the right to prevent future development. Further, the impacts on UMRBNM are “reasonably foreseeable” and not “speculative,” as claimed by BLM in the Draft EA. Draft EA at 30. BLM admits that there is a “high potential” for future development on parcel MTM 108952-BQ, and there are also several leases in the immediate vicinity of this parcel that are held by production. Draft EA at 16; UMRBNM Approved RMP at Map 3 – Side A Oil & Gas Map. Yet, as a consequence of failing to identify and discuss UMRBNM at all in the Draft EA, BLM has failed to evaluate the direct, indirect and cumulative impacts of leasing on the monument.</p>
<p>BLM Response: This EA is tiered to the information and analysis and conforms to the decisions contained in the 2015 Rocky Mountain Region Record of Decision (ROD), HiLine Approved Resource Management Plan (HiLine ARMP) and associated FEIS. The ROD, RMP, and FEIS are in compliance with all Federal laws, regulations, and policy.</p> <p>At the leasing stage, site-specific drill locations are unknown. See response to comment # 8. The BLM reviews proposed parcels and identifies stipulations based on what is known about the parcels such as presence of streams, wetlands, steep slopes, known nest sites, or designated habitat. These stipulations are essentially incorporated as design criteria in any future proposal. These stipulations were developed during the last RMP revision. Site specific NEPA analysis cannot occur until there is an APD.</p> <p>The visuals analysis in the EA was updated to note that visual affects to the Monument would be extremely low, based upon the application of BMPs to minimize contrasts to the existing landscape, and CSU 12-64 for Class II VRM. See Response to Comment #5.</p>			

Resource Management Plan / FLPMA

Comment Number	Name	Comment Period	Comment Summary
10	The Wilderness Society	EA	<p>The Draft EA is not consistent with the HiLine ARMP, as required by FLPMA.</p> <p>BLM has not prioritized leasing outside of PHMAs and GHMAs, as required by the Rocky Mountain Region ROD, HiLine Approved RMP and IM 2016-143. Under FLPMA, BLM must manage public lands “in accordance with the [applicable] land use plans . . .” 43 U.S.C. § 1732(a). Further, in IM 2016-143, BLM has issued guidance elaborating on the way agency staff are to comply with the requirement to prioritize leasing and development outside of sage-grouse habitat: “Lands within GHMAs: BLM state offices will consider EOLs for lands within GHMAs, after considering lands outside of both GHMAs and PHMAs. When considering the GHMA lands for leasing, the BLM State Office will ensure that a decision to lease those lands would conform to the conservation objectives and provision in the GRSG Plans (e.g., Stipulations).” Yet, the Draft EA fails to cite the “prioritization” requirement altogether. There is no discussion of the prioritization sequence or parcel-specific factors set forth in IM 2016-143 or of the broader requirement to “prioritize” established in the Rocky Mountain Region ROD and HiLine ARMP.</p>
BLM Response: See response to Comment 31.			
11	The Wilderness Society	EA	<p>BLM is not complying with FLPMA’s multiple-use mandate.</p> <p>Under FLPMA, BLM is required to manage the public lands on the basis of multiple use and sustained yield. 43 U.S.C. § 17732 (2012). In recognition of the environmental components of the multiple use mandate, courts have repeatedly held that under FLPMA’s multiple use mandate, development of public lands is not required, but must instead be weighed against other possible uses, including conservation to protect environmental values. Development is a possible use, which BLM must weigh against other possible uses — including conservation to protect environmental values, which are best assessed through the NEPA process.” The multiple use framework’s emphasis both on environmental resources and on the need to balance between present and future generations are highly relevant to consideration of climate change-related impacts. Here, the BLM appears to be grounding the analysis and decisions proposed in the Draft EA on recent presidential and executive actions on “American energy independence” or “dominance.” Such a decision would clearly violate the multiple-use mandate of FLPMA, which states in no uncertain terms that BLM “shall manage public lands under principles of multiple use and sustained yield” and contains specific provisions and procedures for broadly “excluding” principal uses of the public lands, including outdoor recreation and fish and wildlife development and utilization, none of which have been followed here and more broadly by the Interior Department. 43 U.S.C. §§ 1732(a), 1712(e)(2).</p>
BLM Response: The HiLine District Office ARMP does incorporate the full multiple use policy of FLPMA. The HiLine RMP has areas prioritized for ACEC management, management of visual resources and/or National Scenic and Historic Trails, areas prioritized for the management of recreation and various wildlife species. The RMP also allows development of oil and gas resources and put the suitable constraints on these development activities. There is a large portion of the RMP area that has major constraints on activities (e.g., exclusion areas for wind or other rights-of-ways, no surface occupancy for oil and			

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			<p>gas, etc.). This RMP was developed under the FLMPA and NEPA requirements and follows multiple use and sustained yield requirements. This lease sale analyzed and attached all the appropriate stipulations to allow both development of minerals and protection of resources.</p> <p>It is the policy of the BLM to make mineral resources available for use and to encourage development of mineral resources to meet national, regional, and local needs. This policy is based on various laws, including the Mineral Leasing Act of 1920 and the Federal Land Policy and Management Act of 1976 (FLPMA). The Federal Onshore Oil and Gas Leasing Reform Act of 1987 Sec. 5102(a)(b)(1)(A) directs the BLM to conduct quarterly oil and gas lease sales in each state whenever eligible lands are available for leasing.</p> <ul style="list-style-type: none"> • 43 C.F.R. § 3120.1-2. Each proper BLM State Office shall hold sales at least quarterly if lands are available for competitive leasing. • Mineral Leasing Act of 1920 as amended- Subtitle B Federal Onshore Oil and Gas Leasing Reform Act of 1987 (FOOGLRA). Lease sales shall be held for each State where eligible lands are available at least quarterly.... • Washington Office Instruction Memorandum 2010-117 Oil and Gas Leasing Reform. State offices will continue to hold lease sales four times per year, as required by the Mineral Leasing Act, section 226(b)(1)(A) when eligible lands are determined by the state office to be available for leasing. • Montana State Office Oil and Gas Leasing Reform Implementation Plan August 2010. All Montana Oil and Gas Competitive Lease Sales are subject to the following laws, regulations and policies: Required by law and regulation to hold lease sales at least quarterly if lands are available (Public Law 100-203, Sec. 5102, dated 12/22/87 (FOOGLRA)). <p>MLA statements</p> <ul style="list-style-type: none"> • MLA page 40- Sec. 16- "That all leases of lands containing oil or gas, made or issued under the provisions of this Act, shall be subject to the condition that the lessee will...use all reasonable precautions to prevent waste of oil or gas developed in the land..." • MLA page 15- Sec. 30- "Each lease shall contain provisions for the purpose of insuring...and for the prevention of undue waste..." <p>No surface disturbance would occur as a result of issuing leases. Upon receipt of an APD, the BLM would coordinate with the appropriate Surface Management Agency (SMA) and initiate a more site-specific NEPA analysis with public review opportunities to more fully analyze and disclose site-specific effects of specifically identified activities. This analysis would include resources and resource uses proposed on or adjacent to the lease parcel lands. The BLM analyzes all proposed federal actions in a NEPA document (whether they are for range, vegetation treatments, recreation, etc.). All actions are reviewed for compliance with the land use plan at the start of the NEPA process. Having areas available for oil and gas leasing does not mean that this activity is prioritized over other uses or that it is the only use on BLM lands. The RMP has areas closed and/or avoided for certain resource uses, prioritized for ACEC designation, wilderness study areas, etc.</p>

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12	Center for Biological Diversity	Scoping & EA	<p>BLM must not violate FLMPA by causing unnecessary or undue degradation.</p> <p>BLM must prevent degradation that is “unnecessary” and degradation that is “undue.”</p> <p>The protective mandate applies to BLM’s planning and management decisions. Greenhouse gas pollution for example causes “undue” degradation. Even if the activity causing the degradation may be “necessary,” where greenhouse gas pollution is avoidable, it is still “unnecessary” degradation. 43 U.S.C. § 1732(b).</p>
<p>BLM Response: It is the policy of the Bureau of Land Management (BLM) to make mineral resources available for use and to encourage development of mineral resources to meet national, regional, and local needs. This policy is based on various laws, including the Mineral Leasing Act of 1920 and the Federal Land Policy and Management Act of 1976. The Federal Onshore Oil and Gas Leasing Reform Act of 1987 Sec. 5102(a)(b)(1)(A) directs the BLM to conduct quarterly oil and gas lease sales in each state whenever eligible lands are available for leasing. This EA is tiered to the information and analysis and conforms to the decisions contained in the 2015 Rocky Mountain Region Record of Decision (ROD) and HiLine Approved Resource Management Plan (HiLine ARMP). A decision to offer parcels for lease would not cause unnecessary or undue degradation and is consistent with existing laws, regulations, and policies, including the HiLine ARMP, NEPA, MLA, and FLPMA. Upon receipt of an Application for a Permit to Drill (APD), the BLM would initiate a site-specific NEPA analysis with public review opportunities. Any conditions of approval for permits to drill, including measure necessary to prevent unnecessary and undue degradation, will be evaluated at the project level.</p>			
13	Wild Earth Guardians constituents (> 100 letters)	EA	<p>I urge you to abandon your plans to auction off more than 60,000 acres of public lands and minerals for fracking in March 2018. I am especially troubled that the Bureau of Land Management is considering leasing public lands and minerals along the Beartooth Front, next to the town of Livingston, and in other sensitive and undeveloped landscapes across the region. There is no need to lease public lands to the oil and gas industry in Montana or North Dakota. Industry is not even developing the oil and gas leases it already has. Only 34% of leased lands in the region are actually producing oil and gas.</p>
<p>BLM Response: Beyond the scope of this document. Oil and gas leasing is in compliance with all Federal rules, regulations, and laws, including NEPA, MLA, and FLPMA. Areas open or closed to leasing, and leasing stipulations were developed during the last Resource Management Plan revision, which was completed in 2015 and included public participation.</p>			

Air Quality / Climate

Comment Number	Name	Comment Period	Comment Summary
14	Wild Earth Guardians	EA	<p>The BLM Fails to Assess the Direct and Indirect Impacts of Air and Greenhouse Gas Emissions that Would Result from Issuing the Proposed Lease Sale Parcels.</p> <p>First, the BLM fails to actually calculate site-specific air emissions that will occur from issuing the proposed lease parcels. Second, although the BLM calculates downstream greenhouse gas emissions from combustion of any produced oil and gas, the BLM fails to assess the greenhouse gas emissions that will result from construction and</p>

Comment Number	Name	Comment Period	Comment Summary
			production of the proposed leases. See, e.g., Billings FO EA at 29–30; Butte FO EA at 24–28; Hi-Line EA at 28–31.10.
<p>BLM Response: The direct, indirect, and cumulative impacts from oil and gas development on air resources were analyzed in Chapter 4 of the HiLine Proposed RMP and FEIS, June 2015. Detailed information on estimated greenhouse gas (GHG) emissions can be found in the Air Resource Technical Support Document (ARTSD) for Emission Inventories and Near-Field Modeling, October 17 2014. Estimated criteria pollutant, hazardous air pollutant, and greenhouse gas (GHG) emissions attributable to projected oil and gas development within the planning area are disclosed in both of these documents. In addition, an estimate of GHGs from the consumption of potentially produced oil and gas is included in the EA. The BLM followed established procedures for analyzing GHGs as prescribed in guidance available at the time of the analysis.</p> <p>BLM acknowledges that the estimated increase in GHG emissions, based on projected development, may contribute to an increase in global atmospheric GHG concentration which may result in exacerbating impacts associated with global climate change. However, BLM is not able to predict actual local impacts from the projected level of increased GHG emissions associated with the proposed lease sale. The application of stipulation CSU 12-23 and lease notice LN 14-18 (see below) to the proposed lease parcels will provide for conservation of air resources by ensuring that reduced emissions engine technology is used as the leases are developed, and by allowing BLM to conduct additional air analyses at the time of development if methodologies become available to determine local impacts of project level GHG emissions.</p> <p>CSU 12-23- Controlled Surface Use Stipulation- Air Resources: Surface occupancy and use is subject to the requirement that each diesel-fueled non-road engine with greater than 200 horsepower design rating to be used during drilling or completion activities meets one of the following two criteria: (1) the engine was manufactured to meet USEPA NOx emission standards for Tier 4 non-road diesel engines, or (2) the engine emits NOx at rates less than or equal to USEPA emission standards for Tier 4 non-road diesel engines.</p> <p>LN 14-18- Lease Notice- Air Resource Analysis: The lessee/operator is given notice that prior to project-specific approval, additional air resource analyses may be required in order to comply with the NEPA, FLPMA, and/or other applicable laws and regulations. Analyses may include equipment and operations information, emission inventory development, dispersion modeling or photochemical grid modeling for air quality and/or air quality related value impact analysis, and/or emission control determinations. These analyses may result in the imposition of additional project-specific control measures to protect air resources.</p>			
15	Wild Earth Guardians	EA	<p>The BLM Fails to Fully Analyze and Assess the Cumulative Impacts from Greenhouse Gas Emissions that Would Result from Issuing the Proposed Lease Parcels.</p> <p>Similarly, the BLM’s analyses in all four EAs fail to account for greenhouse gas emissions from cumulative and similar actions. The BLM fails to take into account the greenhouse gas emissions resulting from other proposed BLM lease sales in Montana, North Dakota, and surrounding Western states. The BLM has leased or is proposing to lease approximately 859 parcels or 620,548.17 acres of publically-owned land in the states listed above in 2017. The BLM is also proposing to lease 208 parcels (191,708.13 acres) in March 2018 in Colorado, Montana, and Wyoming.</p>

Comment Number	Name	Comment Period	Comment Summary
			Finally, the need to take into account “similar” and “cumulative” actions is underscored by the fact that the BLM acknowledges that the proper geographic area for analyzing and assessing the impacts of greenhouse gas emissions is on a national scale. Both the Billings FO EA and Butte FO EA in fact assess downstream greenhouse gas emissions from the proposed leasing in the context of both statewide and national greenhouse gas emissions. Although this assessment was apparently prepared to try to mislead the public into believing that emissions from the proposed leasing are not significant, it actually emphasizes the need for the BLM to not simply account for emissions from the proposed leasing, but likely for all greenhouse gas emissions associated with BLM-approved oil and gas leasing nationwide.
<p>BLM Response: Potential emissions of air pollutants from the exploration, development, and onsite production phases associated with the RFD for these parcels have been addressed in the HiLine RMP Final EIS . In addition, Table 11 on page 31 of the EA shows the estimated downstream GHG emissions due to 100% combustion of product based on the potential RFD for this lease sale proposal. The direct, indirect, and cumulative impacts from oil and gas development on air resources were further analyzed in Chapter 4 of the HiLine Proposed Resource Management Plan and Final Environmental Impact Statement, June 2015. Additional detailed information on estimated air pollutant emissions (including GHGs) can be found in the Air Resource Technical Support Document (ARTSD) for Emission Inventories, Near-Field Modeling, and Visibility Screening, October 17, 2014 . The air resources analysis includes a discussion of short term and long term impacts to air quality from reasonably foreseeable oil and gas development.</p>			
16	Wild Earth Guardians	EA	<p>The BLM Fails to Analyze the Costs of Reasonably Foreseeable Carbon Emissions Using Well-Accepted, Valid, Credible, GAO-Endorsed, Interagency Methods for Assessing Carbon Costs.</p> <p>In addition to the lack of cumulative impacts analysis for GHGs, it is particularly disconcerting that the agency discusses the economic benefits of the proposed leases, Billings FO EA at 80–81, Butte FO EA at 52, Hi-Line EA at 71–72, North Dakota FO at 42, but completely omits a discussion on the social cost of carbon protocol, a valid, well-accepted, credible, and interagency-endorsed method of calculating the costs of greenhouse gas emissions and understanding the potential significance of such emissions.</p>
<p>BLM Response: The HiLine District is tiering to and incorporating by reference all impacts from the HiLine Final EIS 2015. No additional analysis is required at this time.</p> <p>There are different approaches that an agency can take to examine climate impacts associated with greenhouse gas emissions, with the social cost of carbon/greenhouse gases estimates being just one metric that could be used. The BLM examined the possible use of social cost of carbon/greenhouse gas estimates and determined to use a different approach for this EA that quantified greenhouse gas emissions as the common metric used and then qualitatively discussed potential climate impacts. The BLM took this approach for several reasons. First, climate change and potential climate impacts, in and of themselves, are often not well understood by the general public (Etkin and Ho 2007, National Research Council 2009). This is in part due to the challenges associated with communicating about climate change and climate impacts, stemming in part from the fact that most causes are invisible factors (such as greenhouse gases) and there is a long lag time and geographic scale between causes and effects (National Research Council 2010). Research indicates that for difficult environmental issues such as climate change, most people more readily understand if the issue is brought to a scale that is relatable to their everyday life (Dietz 2013); when the science and technical aspects are presented in an engaging way such as narratives about the potential implications of the climate impacts (Corner, Lewandowsky, Phillips, and Roberts 2015); use examples and make information relevant to the audience while</p>			

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			<p>also linking the local and global scales (National Research Council 2010). In order to more effectively convey the potential climate impacts, the BLM quantified greenhouse gas emissions as a common metric and discussed narratively climate impacts. This approach presents the data and information in a manner that follows many of the guidelines for effective climate change communication developed by the National Academy of Sciences (National Research Council 2010) by making the information more readily understood and relatable to the decision-maker and the general public. The projected climate impacts to the regional area that covers the parcels offered for lease provides a narrative in a scale that is more relevant to the decision-maker and the general public since it provides more detailed specifics on potential implications to their everyday life--such as warmer temperatures and less snowfall, more frequent more severe droughts, and increased chance of stressed ecosystems, etc.</p> <p>This does not discount the quantified greenhouse gas emissions nor the qualitative discussions of global, US and state level impacts, but provides a meaningful and engaging way to connect the reader to more relevant impacts that then allow them to make the connections to the state, US and global impacts. The approach taken by the BLM for this EA to discuss climate change provides impacts at several scales whereas the social cost of carbon metric only provides an impact metric at the global scale. This limits the usefulness for the decision-maker given the lack of information on more localized impacts.</p> <p>Second, as articulated in the response to comments the economic impact analysis conducted as part of this lease sale EA assessed potential federal revenues that could be collected from bonus bids and annual rental payments on nominated parcels leased in this upcoming lease sale. Revenues associated with leasing these parcels would stimulate economic activity as these dollars are disbursed and/or spent, and the resulting economic impacts of these dollars are analyzed and expressed in terms of their effect on employment; personal income; or economic output in the economic analysis of oil and gas development in the Hilina District Final EIS 2015 regional economic impact analysis. Economic impact analyses, such as was done for the Hilina District Final EIS 2015, describe effects that agency activities may have on economic conditions and local economic activity, generally expressed as projected changes in employment, labor income, and economic output (Watson, Wilson, Thilmany, and Winter 2007). It is important to note that results from an economic impact analysis should not be considered as benefits or costs (Watson et al. 2007).</p> <p>Whereas an economic impact analysis evaluates changes in economic activity, a cost-benefit analysis is an approach used to determine economic efficiency by focusing on changes in social welfare by comparing whether the monetary benefits gained by people from an action/policy are sufficient in order to compensate those made worse off and still achieve net benefits (Watson et al. 2007, Kotchen 2011). To summarize, cost-benefit analyses and regional economic impact analyses are very different methods that are focused on quantifying/monetizing different measures (social welfare and economic activity respectively) and are based upon differing assumptions and terminology and are not interchangeable. Furthermore, Watson et al. (2007) explicitly stated that an economic impact does not equate to any measure of net welfare change and that an economic impact analysis is not the same as a benefit-cost analysis, and the term 'economic benefit' should be used only in the context of cost-benefit analysis. As such, nowhere in this EA does the BLM refer to the potential revenue associated with this lease sale as an economic benefit since that would be incorrect since a cost-benefit analysis was not conducted. Consequently, the increased economic activity, discussed in terms of revenue, employment, labor income, total value added, and output are simply the economic impacts associated with the alternatives. People, based upon their views and values, may perceive this increased economic activity as a 'positive' impact that they desire to have occur; however, that is very distinct from being an "economic benefit" as defined in economic theory and methodology (Watson et al. 2007, Kotchen 2011). Additionally, another person may perceive increased economic activity as a 'negative' impact due to potential in-migration of new people, competition for jobs, and concerns that newcomers will change the sense of community and community qualities that are</p>

Comment Number	Name	Comment Period	Comment Summary
<p>important to herself/himself. Therefore, it is critical to distinguish that how people may perceive an economic impact is not the same as, nor should be interpreted as, a cost or a benefit as defined in a cost-benefit analysis.</p> <p>Moreover, a recent Executive Order (EO) entitled, “Promoting Energy Independence and Economic Growth,” issued March 28, 2017, directed that the Interagency Working Group (IWG) be disbanded and that technical documents issued by the IWG on social costs of carbon be withdrawn as no longer representative of governmental policy (Section 5 of the EO).</p> <p>Finally, protesters have provided no information as to how presenting GHG emissions in a singularly monetary fashion without accounting for the cost from not developing these minerals in the context of FLPMA’s mandate to provide for the nation’s energies needs, provides information BLM has not already considered in disclosing the expected impacts from climate change and GHGs resulting from the offering of parcels for sale. Without any other monetized benefits or costs reported, monetized estimates of the SCC would be presented in isolation, without any context for evaluating their significance. This limits the usefulness of such estimates to the decision maker. The approach taken for this EA provides quantitative GHG emissions as a common metric across alternatives and qualitatively discusses climate impacts, thus effectively informing the decision-maker and the public of potential climate impacts at global, US, state, and regional scales. This approach allows the BLM to meet the “hard look” requirement by presenting the environmental impacts of the proposal and the alternatives in comparative form (quantified greenhouse gas emissions), and discusses cumulative climate impacts, providing for the definition of issues and environmental consequences ensuring that an informed decision can be made.</p>			
17	Center for Biological Diversity	Scoping and EA	<p>BLM Must Evaluate Potential Impacts to Air Quality.</p> <p>BLM must analyze air quality impacts from new development in conjunction with the existing air quality landscape for the proposed lease parcels (including fracking). BLM must analyze increased emissions from foreseeable oil and gas development for these lease parcels in order to prevent further degradation of local air quality, respiratory illnesses, premature death, hospital visits, as well as missed school and work days. Any leasing EIS must take steps to analyze the impacts of all foreseeable future air emissions from induced oil and gas development and operations on these lease parcels, and cumulatively with future lease parcel sales in the Montana/Dakotas region.</p> <p>BLM’s must identify environmental impact mitigation methods for controlling air pollution emissions, under NEPA’s requirement that the agency identify mitigation measures, 40 C.F.R. § 1508.25, and consider all reasonable alternatives.</p>
<p>BLM Response: This EA is tiered to the information and analysis and conforms to the decisions contained in the 2015 Rocky Mountain Region Record of Decision (ROD) and HiLine Approved Resource Management Plan (HiLine ARMP). The ROD and RMP are in compliance with all Federal laws, regulations, and policy. No additional analysis is required at this time. Air pollutant control measures were included as part of the air resource analysis in the HiLine ARMP Final EIS. Additional detailed information on control measures included in the analysis can be found in the Air Resource Technical Support Document (ARTSD) for Emission Inventories, Near-Field Modeling, and Visibility Screening, October 2014 (BLM ARTSD, 2014). As a result, two oil and gas stipulations LN 14-18 (Air Resource Analysis) and CSU 12-23 (Air Resources) have been applied to all lease parcels (see Appendix A) for the conservation of air resources.</p>			

Comment Number	Name	Comment Period	Comment Summary
18	Center for Biological Diversity	Scoping and EA	<p>Types of Air Emissions</p> <p>BLM must disclose the type, extent, or source of emissions from unconventional oil and gas extraction methods, such as fracking. The rapid expansion of unconventional oil makes the impacts associated with fracking foreseeable.</p> <p>The EIS should study the potential for oil and gas operations sites in the planning area to emit such air toxics and any other pollutants that may pose a risk to human health, paying particular attention to the impacts of air pollution on environmental justice communities that already bear the burden of disproportionately high levels of air pollution.</p>
BLM Response: See response to comment #15.			
19	Center for Biological Diversity	Scoping and EA	<p>Sources of Air Emissions</p> <p>Harmful air pollutants are emitted during every stage of unconventional oil and gas recovery, including drilling, completion, well stimulation, production, and disposal. The EIS must provide an adequate analysis and disclosure of the effects the lease sale could have on air quality, including the impacts that would result from fracking. BLM cannot postpone the discussion of air pollution and climate change impacts until site-specific plans are proposed.</p>
BLM Response: See response to comment #15.			
20	Center for Biological Diversity	Scoping and EA	<p>Impact of Increased Air Pollution</p> <p>The EIS should incorporate a literature review of the harmful effects of each of these chemicals known to be used in fracking and other unconventional oil and gas extraction methods. Without knowing the effects of each chemical, the EIS cannot accurately project the true impact of unconventional oil and gas extraction.</p>
BLM Response: The HiLine District is tiering to and incorporating by reference all impacts from the HiLine Final EIS 2015. Impacts from oil and gas development and HF were analyzed in the HiLine Final EIS 2015, and impacts were incorporated by reference in the respective chapter 4 resource sections within the lease sale EA. No additional analysis is required at this time. See response to comment #15.			
21	Center for Biological Diversity	Scoping and EA	<p>Air Modeling</p> <p>BLM must employ readily-available air quality modeling tools to understand what areas and communities will most likely be affected by air pollution in any environmental review of this lease parcel sale. It is crucial to gather independent data rather than relying on industry estimates, which may be inaccurate or biased. Wind and weather patterns, and atmospheric chemistry, determine the fate and transport of air pollution over a region, over time.</p>
BLM Response: The BLM did conduct air modeling for potential oil and gas development as part of the air analysis included in the HiLine RMP Final EIS (BLM, 2015). Additional detailed information on estimated air pollutant emissions (including GHGs) can be found in the Air Resource Technical Support Document (ARTSD) for Emission Inventories, Near-Field Modeling, and Visibility Screening, October 2014 (BLM ARTSD, 2014). The air resources analysis includes a discussion of short term and long term impacts to air quality from reasonably foreseeable oil and gas development.			

Comment Number	Name	Comment Period	Comment Summary
22	Center for Biological Diversity	Scoping and EA	<p>BLM Must Disclose Greenhouse Gas Emissions and Impacts to Climate From Oil and Gas Drilling, Processing, Transport, and Combustion</p> <p>BLM must analyze the impacts of increased oil and gas development on GHG emissions and climate change based on the proposed Montana and Dakota lease sales. Although BLM's Climate Change Supplementary Information Report for Montana, North Dakota, and South Dakota (Climate Change SIR, 2010) provides a useful broad-based analysis of climate impacts to Montana and the Dakotas, because of the readily foreseeable emissions consequences of additional leasing, BLM must provide site-specific emissions analyses for the proposed lease parcels.</p> <p>The final CEQ <i>Guidance on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA Reviews</i> remains persuasive on the issue of federal agency review of greenhouse gas emissions as foreseeable direct and indirect effects of the proposed action. Although the 2016 CEQ guidance has been "withdrawn for further consideration," 82 Fed. Reg. 16,576 (April 5, 2017), the underlying requirement to consider climate change impacts under NEPA, including indirect and cumulative combustion impacts foreseeably resulting from fossil fuels leasing decisions, has not changed.</p> <p>The volume of potential oil and gas from these lease parcels is knowable and calculating the direct emissions impact from development of these lease parcels is also quantifiable. BLM must make reasonable efforts to quantify foreseeable GHG emissions that could result from new leasing within the Montana and North Dakota regions proposed for lease—including emissions from construction, operating fossil-fuel powered equipment during production, reclamation, transportation, processing and refining, and combustion of the extracted product.</p> <p>Only by conducting a comprehensive EIS can BLM accurately weigh the climate change costs and benefits of alternatives and address sources of greenhouse gases and effects of climate change. A no new leasing alternative is, therefore, not only reasonable but also imperative. As BLM has not yet had a chance to consider a no new leasing and no fracking alternative as part of its planning processes, BLM should suspend new leasing until it properly considers this alternative in an updated RMP or in the EIS.</p>
<p>BLM Response: This EA is tiered to the information and analysis and conforms to the decisions contained in the 2015 Rocky Mountain Region Record of Decision (ROD), the HiLine Approved Resource Management Plan (HiLine RMP), and the 2015 Final Environmental Impact Statement. The ROD, ARMP and FEIS comply with all Federal laws, regulations, and policy.</p> <p>The HiLine ARMP and FEIS includes an assessment of the direct, indirect, and cumulative impacts from oil and gas development on air resources. It includes quantification and analysis of air pollutants of concern including GHGs and an Adaptive Management Strategy for Oil and Gas Resources, which outlines a multifaceted approach for addressing oil and gas emissions, monitoring, modeling, and mitigation. The HiLine ARMP is a 'landscape level' look at leasing. The Reasonably Foreseeable Development Scenario analyzed impacts from oil and gas development over the next 20 years within the District boundary.</p>			

Comment Number	Name	Comment Period	Comment Summary
			<p>Air pollutant control measures were included as part of the air resource analysis in the HiLine RMP Final EIS. Additional detailed information on control measures included in the analysis can be found in the Air Resource Technical Support Document (ARTSD) for Emission Inventories, Near-Field Modeling, and Visibility Screening, October 2014 (BLM ARTSD, 2014). As a result, two oil and gas stipulations LN 14-18 (Air Resource Analysis) and CSU 12-23 (Air Resources) have been applied to all lease parcels (see Appendix A) for the conservation of air resources.</p> <p>The EA includes an assessment of air quality and climate for the lease parcels, including an assessment of potential emissions of air pollutants from the exploration, development, and onsite production phases associated with the RFD for these parcels. Table 11 of the EA shows the estimated downstream GHG emissions due to 100% combustion of product based on the potential RFD for this lease sale proposal.</p> <p>CSU 12-23 and LN 14-18 have been applied to all parcels, and would provide for conservation of air resources. CSU 12-12 states: <i>Surface occupancy and use is subject to the requirement that each diesel- fueled non-road engine with greater than 200 horsepower design rating to be used during drilling or completion activities meets one of the following two criteria: (1) the engine was manufactured to meet USEPA NOx emission standards for Tier 4 non-road diesel engines, or (2) the engine emits NOx at rates less than or equal to USEPA emission standards for Tier 4 non-road diesel engines.</i></p> <p>LN 14-18 states: <i>The lessee/operator is given notice that prior to project-specific approval, additional air resource analyses may be required in order to comply with the NEPA, FLPMA, and/or other applicable laws and regulations. Analyses may include equipment and operations information, emission inventory development, dispersion modeling or photochemical grid modeling for air quality and/or air quality related value impact analysis, and/or emission control determinations. These analyses may result in the imposition of additional project- specific control measures to protect air resources.</i></p>

Cultural Resources

Comment Number	Name	Comment Period	Comment Summary
23	Northern Cheyenne	EA	The EA for one nominated lease parcel containing 24 acres of federal surveyed minerals for competitive oil and gas leasing yields no objections from this office. We request tribal participation in all cultural survey fieldwork if the APD is approved and the project moves forward.
<p>BLM Response: BLM will manage Cultural Resources in accordance with applicable laws and manuals to include MS-8100, 8110 and 8120 specific to Tribal Consultation. Field Office Managers and staffs shall consult with affected tribes to identify and consider their concerns in BLM land use planning and decision-making, ensuring that information on tribal religious and cultural issues receives good faith consideration during decision-making, and that BLM decisions do not unduly or unnecessarily burden the pursuit of traditional religious or cultural practices.</p>			

Range

Comment Number	Name	Comment Period	Comment Summary
24	North Blaine County Cooperative State Grazing District	Scoping	<p>These comments pertain to the following parcel numbers which are located in our North Blaine Co Coop State Grazing District: MTM 108952-E6, MTM 108952-FB, MTM 108952-E7, MTM 108952-E8, MTM 108952-E9, MTM 108952-FA, and MTM 79010-PX.</p> <ol style="list-style-type: none"> 1. As a District we are opposed to the March 13, 2018 Comp Sale (MT9222.SG). 2. The above referenced parcels are located within or adjacent to private lands and as such these parcels are not accessible without crossing private or public lands and building new roads. 3. If these parcels are leased then the number of AUM's available for our members will decline. Due to the fact that all private and public lands are owned and/or leased there are no additional AUM's of pasture available to replace those acres in Blaine County for the above mentioned parcels. 4. Additional roads and/or well sites plus associated tank batteries for storage could alter grazing patterns as well as available water sources. 5. Most of the BLM pastures are part of grazing plan that must be followed--by decreasing the number of available AUM's in one pasture it also effects the carrying capacity of the entire grazing allotment. 6. Grazing District members stand to suffer significant loss as there is no mitigation plan to off-set the negative impacts of the proposed lease. 7. Negative Impacts may include but are not limited to the following: Livestock disturbance due to increased surface activity; Disruption of water systems; Alterations in fencing; Gate locations; Increased public trespass on private lands due to additional improved roads during and after completion of well sites.
<p>BLM Response: As stated in Section 3.4 of the EA: "The act of leasing parcels would not cause direct or cumulative effects to resources because no surface disturbance would occur." Having areas available for oil and gas leasing does not mean that this activity is prioritized over livestock grazing or any other uses. Loss of forage allocated to livestock, alteration of livestock grazing patterns, impacts to carrying capacity of associated private and public lands, and the necessity of specific mitigation measures as a result of development are beyond the scope of this document. Each of the before mentioned potential impacts to livestock grazing and rangeland resources were brought forward in Section 3.8-Upland Vegetation of the EA and will be analyzed on a site-specific basis if an Application for Permit to Drill is received on specific lease parcels.</p>			

Water Resources (see also FONSI)

Comment Number	Name	Comment Period	Comment Summary
25	Bush, Jodi; USFWS	Scoping	<p>We recommend that the EA discuss anticipated unavoidable impacts to wetlands and streams and measures proposed to avoid, minimize, and compensate for impacts to these resources. Wetlands should be delineated in the field per U.S. Army Corps of Engineers (Corps) procedures, and appropriate permits acquired from the Corps, prior to disturbance of such areas. We also recommend that compensatory stream and wetland mitigation that appropriately replaces lost stream and wetland functions is implemented and functional prior to disturbance of such areas in conjunction with the project(s).</p> <p>BLM Response: No additional analysis is required at this time. As stated in Section 3.7 of the EA, <i>offering twenty-four parcels for lease would have no direct impacts on water resources (including streams, wetlands, floodplains, or waterbodies) because no surface disturbance would occur.</i> Consequently, there are no anticipated and unavoidable impacts to wetlands and streams as a result of the leasing of these parcels. During subsequent development at the APD stage, no surface disturbance is allowed in wetlands, riparian areas, floodplains, rivers, streams, and waterbodies (NSO 11-70).</p> <p>Upon receipt of an APD, the BLM would coordinate with the appropriate Surface Management Agency (SMA) and initiate a site-specific NEPA analysis with public review opportunities to more fully analyze and disclose site-specific effects of specifically identified activities." At that time, alternatives would be considered and any additional mitigation would be identified to address potential future impacts that may arise in the site specific analysis. This analysis would include identification of any jurisdictional or non-jurisdictional wetlands and waterbodies/streams which may be impacted, corresponding mitigation, and requisite permits</p>
26	Center for Biological Diversity	Scoping and EA	<p>BLM Must Evaluate Potential Impacts to Water Quality, Including From Hydraulic Fracturing, Waste Disposal, Spills, and Pipeline and Road Construction.</p> <p>NEPA regulations and case law require that BLM evaluate all "reasonably foreseeable" direct and indirect effects of its leasing. 40 C.F.R. § 1508.8; <i>Davis v. Coleman</i>, 521 F.2d 661, 676 (9th Cir. 1975); <i>Center for Biological Diversity, et al. v. Bureau of Land Management, et al.</i>, 2013 U.S. Dist. LEXIS 52432; 43 ELR 20076 (N.D. Cal. March 31, 2013) (holding that oil and gas leases were issued in violation of NEPA where BLM failed to prepare an EIS and unreasonably concluded that the leases would have no significant environmental impact because the agency failed to take into account all reasonably foreseeable development under the leases).</p> <p>BLM must fully disclose and analyze the indirect and cumulative impacts of increased oil and gas leasing (including hydraulic fracturing, horizontal drilling, and multi-stage fracking) and resulting development on water quality, including, in particular, water quality in the Clark Fork of the Yellowstone River. BLM must give close attention to indirect effects including potential future pipelines that cross the river. On the west side of the Clark Fork, groundwater is very shallow and part of a fluvial aquifer with fast groundwater migration. No leasing should occur without full consideration of potential pathways for contamination of that groundwater, and the health, economic, and other effects on the people and wildlife that rely on ground and surface water in the area.</p>

Comment Number	Name	Comment Period	Comment Summary
<p>BLM Response: This EA tiers to the HiLine ARMP (2015) and associated FEIS, which considers and discloses the effects of hydraulic fracturing. See Response to Comment #7.</p> <p>As stated in Section 3.7, offering twenty-four parcels for lease would have no direct impacts on water resources (including streams, wetlands, floodplains, or waterbodies) because no surface disturbance would occur. Upon receipt of an APD, the BLM would coordinate with the appropriate Surface Management Agency (SMA) and initiate a site-specific NEPA analysis with public review opportunities to more fully analyze and disclose potential effects of specifically identified activities. At that time, any additional mitigation and conditions of approval would be identified to address potential future impacts that arise in the site specific analysis. This would include a thorough inventory of any water resources that may be impacted and a more in depth, site specific analysis of potential impacts to those resources.</p>			
27	Earth Justice	EA	<p>The four EAs addressing the sale fail to analyze and disclose the reasonably foreseeable impacts to groundwater from oil and gas development on those leases, as required by the National Environmental Policy Act (NEPA). Since 1988, BLM’s Onshore Order No. 2 has required operators to construct wells to isolate and protect aquifers containing “usable water,” defined as having up to 10,000 ppm total dissolved solids (TDS). 53 Fed. Reg. 46,798, 46,801, 46,805 (Nov. 18, 1988). BLM adopted the 10,000 ppm standard because it matched the definition of “underground source of drinking water” used by EPA in administering the Safe Drinking Water Act (SDWA). See <i>id.</i> at 46,798 (citing 40 C.F.R. § 144.3). When BLM issued its 2015 hydraulic fracturing rule, it made a housekeeping change amending the applicable provision in the Code of Federal Regulations to conform with the Onshore Order No. 2 usable water requirement. 80 Fed. Reg. 16,128, 16,141–42 (Mar. 26, 2015). But in opposing the hydraulic fracturing rule, several industry trade associations and states informed the court that there has been widespread non-compliance with the 10,000 ppm standard, despite the fact that Onshore Order No. 2 is a legally-binding regulation promulgated by notice-and-comment rulemaking. See 53 Fed. Reg. at 46,798; 43 C.F.R. § 3164.1(b). WEA has explained that requiring companies to protect all underground sources of drinking water would result in substantial additional costs for “casing and cementing associated with isolating formations that meet the numerical definition of usable water under the [Onshore Order No. 2 standard], but which are located at depths deeper than the zones that state agencies and BLM field offices have previously designated as requiring isolation.”</p> <p>Industry’s admissions raise a significant environmental concern that BLM must address before issuing new leases. Accepting WEA’s statements as true, BLM and energy companies have been putting numerous underground sources of drinking water at risk. In its 2016 hydraulic fracturing study, the Environmental Protection Agency (EPA) noted that “the depth of the surface casing relative to the base of the drinking water resource to be protected is an important factor in protecting the drinking water resource.” While water with salinity approaching 10,000 ppm TDS is considered “brackish,” such aquifers are increasingly being used for drinking water. In fact, EPA adopted the 10,000 ppm standard based on the 1974 legislative history of SDWA, which explained that Congress intended SDWA to “protect not only currently-used sources of drinking water, but also potential drinking water sources for the future.” H.R. Rep. No. 93-1185 (1974), 1974 U.S.C.C.A.N. 6454, 6484.</p>

Comment Number	Name	Comment Period	Comment Summary
			<p>Our concerns are underscored by recent research showing that it is very common in this region for hydraulic fracturing and oil and gas production to occur in shallow formations that have only limited vertical separation from underground sources of drinking water. Fracturing and production also sometimes occur within an aquifer that represents an underground source of drinking water. WEA's description of widespread non-compliance with Onshore Order No. 2, and the evidence of shallow production and fracturing, raise a significant environmental issue that must be addressed as a reasonably foreseeable effect of the lease sale. Moreover, BLM's analysis must "state how alternatives considered in it and decisions based on it will or will not achieve the requirements of [NEPA] and other environmental laws and policies." 40 C.F.R. § 1502.2(d). The Council on Environmental Quality regulations also require a discussion of possible conflicts with the objectives of state, local and federal land use plans, policies and controls for the area concerned. 40 C.F.R. § 1502.16(c). An assessment of this problem requires an EIS because the cumulative effects of such widespread noncompliance plainly may have a significant impact on groundwater and public health. The fact that BLM proposes to use four separate EAs for the same lease sale further illustrates how the existing analyses fail to address such cumulative impacts.</p> <p>Ignoring evidence of widespread noncompliance with BLM's standards for protecting underground sources of drinking water would violate NEPA. To make an informed decision on whether to lease these lands BLM needs to know whether doing so will put underground sources of drinking water at risk, and what additional stipulations or other steps are needed to prevent such contamination.</p>
<p>BLM Response: This EA tiers to the HiLine ARMP (2015) and associated FEIS, which considers and discloses the effects of hydraulic fracturing. See response to Comment #7.</p> <p>As stated in Section 3.7, offering twenty-four parcels for lease would have no direct impacts on water resources because no surface disturbance would occur. Upon receipt of an APD, the BLM would coordinate with the appropriate Surface Management Agency (SMA) and initiate a site-specific NEPA analysis with public review opportunities to more fully analyze and disclose potential effects of specifically identified activities. At that time, alternatives would be considered and any additional conditions of approval / mitigation would be identified to address potential future impacts that arise in the site specific analysis. This would include a thorough inventory of any water resources that may be impacted and a more in depth, site specific analysis of potential impacts to those resources, including water quality.</p> <p>The use of any specific water source on a federally administered well requires review and analysis of the proposal through the NEPA process, which would be completed at the APD stage. The Gold Book, Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development (BLM and USFS 2007), would be followed, and site-specific mitigation measures, BMPs, and reclamation standards would be implemented and monitored in order to minimize effects to water resources. All proposed actions must comply with local, state, and federal regulations, including Montana water laws.</p>			

Comment Number	Name	Comment Period	Comment Summary
			<p>To ensure that drilling and completion operations are conducted in a safe and environmentally sound manner, the BLM approves and regulates all drilling and completion operations, and related surface disturbance associated with Federal and Indian oil and gas mineral development. Operators must submit APDs to the agency in accordance to Onshore Oil and Gas Order No.1. Prior to approving an APD, the BLM identifies all potential subsurface formations that will be penetrated by the wellbore. This includes groundwater aquifers and any zones that would present potential safety or health risks that may need special protection measures during drilling, or that may require specific protective well construction measures. All well casing and cementing operations that occur on Federal/Indian lands would be reviewed and approved by BLM and conducted in accordance with the applicable requirements specified in Onshore Oil and Gas Order No. 2 and the American Petroleum Institute (API) standards.</p> <p>In addition to federal regulations, the State of Montana’s Board of Oil and Gas Conservation (MBOGC) have regulations, which ensure that all resources including groundwater are protected. The MBOGC regulations require new and existing wells, which will be stimulated by hydraulic fracturing, to demonstrate suitable and safe mechanical configuration for the stimulation treatment proposed. If the operator proposes hydraulic fracturing through production casing or through intermediate casing, the casing must be tested to the maximum anticipated treating pressure. All surface casing and some deeper, intermediate zones are required to be cemented from the bottom of the cased hole to the surface in accordance with Onshore Oil and Gas Order No. 2, MBOGC rules and regulations, and American Petroleum Institute (API) standards. The cemented well is pressure tested to ensure there are no leaks and a cement bond log is run to ensure the cement has bonded to the casing and the formation.</p> <p>Compliance with state regulations would help mitigate the impacts of water withdrawals on surface and groundwater by ensuring that water rights are established for all beneficial uses of water, ensuring that water resources are not over-appropriated, and considering the impacts of water withdrawals to groundwater wells and hydraulically connected surface waters.</p>

Sage-Grouse (see also FONSI)

Comment Number	Name	Comment Period	Comment Summary
28	Bush, Jodi; USFWS	Scoping	<p>Although no longer considered a candidate for listing under the ESA, the Service maintains great interest in this species and associated habitat and has committed to reviewing its status in 2020. The EA should discuss whether project parcels occur within core sage-grouse habitat as mapped by the State of Montana (Executive Orders 10-2014 and 12-2015), Priority Habitat Management Areas (PHMAs), or Restoration Habitat Management Areas (RHMA) as identified in the applicable BLM Resource Management Plan (RMP), or general habitat as delineated under both the EOs and RMPs.</p> <p>BLM Response: As noted in Chapter 3.10, of the 24 parcels nominated for the March 18, 2018 Oil/Gas Lease Sale, ten (3,213.7 acres) are within the General Habitat Management Area (GHMA) and two (760.0 acres) are within the Priority Habitat Management Area (PHMA). Stipulation NSO 11-152 prohibits surface occupancy and use within greater sage-grouse Priority Habitat Management Areas. Stipulation NSO 11-151 prohibits surface occupancy and use within 0.6 miles of a greater sage-grouse lek and CSU 12-67 restricts or prohibits surface disturbance within miles of leks in GHMA.</p>

Comment Number	Name	Comment Period	Comment Summary
29	Bush, Jodi; USFWS	Scoping	<p>Where applicable, the EA should discuss and analyze sage-grouse use and habitat quality on proposed lease parcels, and discuss how compliance with sage-grouse goals, objectives, management decisions, and procedures specified in the applicable RMP and appendices would be achieved. If State permitting is required for the project(s), we recommend that coordination (including sequential impact avoidance, minimization, reclamation, and compensation) with the DNRC, Conservation and Resource Development Division, regarding any applicable required compliance with Montana Executive Order 12-2015 and the Montana sage-grouse conservation strategy be clearly documented in the EA.</p> <p>Clear descriptions of impact avoidance and minimization measures (including lek buffers, construction timing, noise standards, etc.) would greatly facilitate the understanding of anticipated impacts and should also be provided where applicable. We recommend that any required or voluntary compensatory mitigation and proposed means of achieving this mitigation be specifically described in the EA. We recommend that any applicable compensatory mitigation proposal be commensurate with the degree of impacts and offset any unavoidable impacts remaining after application of avoidance and minimization measures. We refer you to the EOs, applicable RMPs, and the Service's September 2014 Greater Sage-Grouse Range-wide Mitigation Framework for further guidance regarding mitigation.</p>
<p>BLM Response: At the leasing stage, the location and extent of development is unknown. The EA evaluated effects based upon a Reasonably Foreseeable Development scenario (RFD), which predicted a total of 54 wells over 10 years (189-297 acres of short term surface disturbance and 94.5-148.5 acres of long term disturbance after reclamation). The development of a lease parcel undergoes a complete NEPA analysis during the Application for Permit to Drill (APD) stage of development, which is when site-specific analysis, identification of mitigation sequencing including compensatory mitigation, and coordination with MT DNRC would occur.</p>			
30	The Wilderness Society	EA Comment	<p>BLM has failed to consider the cumulative impacts of leasing in greater sage-grouse habitat.</p> <p>NEPA requires BLM to evaluate the cumulative impacts of this lease sale "resulting from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions." 40 C.F.R. § 1508.27(b)(7); Kern v. Bureau of Land Management, 282 F.3d 1062, 1075-77 (9th Cir. 2002). To satisfy this requirement, BLM's NEPA analysis must consider the cumulative impact of all the recent and currently-planned auctions in which BLM has offered hundreds of leases affecting sage grouse habitat protected under the RMPs. These sales include, but are not limited to:</p> <ul style="list-style-type: none"> • December 2017 Montana sale: 187 out of 204 parcels offered; • December 2017 Wyoming sale: of 45 parcels to be offered, 26 parcels are partly or entirely in PHMA, and 24 parcels are partly or entirely in GHMA; • March 2018 Wyoming sale: 96 percent of parcels to be offered under the proposed alternative for Wind River/Bighorn Basin District are in sage grouse habitat, 3 and 37 parcels to be offered in the High Plains District are in PHMA or GHMA;

Comment Number	Name	Comment Period	Comment Summary
			<ul style="list-style-type: none"> June 2018 Wyoming sale: 44 parcels are located wholly in PHMA, 30 parcels contain both GHMA and PHMA, and 89 parcels are located wholly in GHMA. <p>BLM cannot lease hundreds of parcels covering many thousands of acres in Montana and Wyoming without considering the cumulative and trans-boundary impacts to the greater sage-grouse.</p>
<p>BLM Response: The RMPs completed across the range of the Greater Sage-grouse all contained cumulative effects analyses at the RMP level and the larger WAFWA (Western Association of Fish and Wildlife Agencies) Management Zone levels – which for the HiLine District Office included most of Eastern Montana, northeastern Wyoming, and portions of North and South Dakota (WAFWA Management Zones I). Refer to the HiLine FEIS, 2015; Volume III, Appendix M.9. The RMPs completed for the Greater Sage-Grouse Planning effort cover the cumulative impacts of activities across the entire range of the Greater Sage-Grouse. The RMPs also analyzed the leasing constraints (e.g., all PHMA habitat for MT/DKs BLM is covered by a no-surface occupancy stipulation), the RFD for these actions, and the analysis of impacts. The RMPs were also coordinated to include consistent protective measures for Greater Sage-grouse (i.e., PHMAs being an exclusion areas for wind and solar development, etc.). Appendix M.9 of the HiLine FEIS describes the cumulative impacts analysis for Greater Sage-grouse.</p>			
31	The Wilderness Society	EA	<p>The Draft EA is not consistent with the HiLine ARMP, as required by FLPMA.</p> <p>BLM has not prioritized leasing outside of PHMAs and GHMAs, as required by the Rocky Mountain Region ROD, HiLine Approved RMP and IM 2016-143. Under FLPMA, BLM must manage public lands “in accordance with the [applicable] land use plans . . .” 43 U.S.C. § 1732(a). Further, in IM 2016-143, BLM has issued guidance elaborating on the way agency staff are to comply with the requirement to prioritize leasing and development outside of sage-grouse habitat: “Lands within GHMAs: BLM state offices will consider EOs for lands within GHMAs, after considering lands outside of both GHMAs and PHMAs. When considering the GHMA lands for leasing, the BLM State Office will ensure that a decision to lease those lands would conform to the conservation objectives and provision in the GRSG Plans (e.g., Stipulations).” Yet, the Draft EA fails to cite the “prioritization” requirement altogether. There is no discussion of the prioritization sequence or parcel-specific factors set forth in IM 2016-143 or of the broader requirement to “prioritize” established in the Rocky Mountain Region ROD and Billings ARMP.</p>
<p>BLM Response: The Rocky Mountain ROD Table 1-4 summarizes the major components of the ARMPs and ARMPAs that address specific threats to GRSG and its habitat. Key Management Responses include <i>Prioritize the leasing and development of fluid mineral resources outside GRSG habitat</i> (page I-19).</p> <p>The Rocky Mountain ROD describes prioritization as an "objective" in the plans (at page 1-25): <i>Prioritization Objective-In addition to allocations that limit disturbance in PHMAs and GHMAs, the ARMPs and ARMPAs prioritize oil and gas leasing and development outside of identified PHMAs and GHMAs. This is to further limit future surface disturbance and encourage new development in areas that would not conflict with GRSG. This objective is intended to guide development to lower conflict areas and as such protect important habitat and reduce the time and cost associated with oil and gas leasing development by</i></p>			

Comment Number	Name	Comment Period	Comment Summary
			<p><i>avoiding sensitive areas, reducing the complexity of environmental review and analysis of potential impacts on sensitive species, and decreasing the need for compensatory mitigation.</i></p> <p>This priority was not included as an allocation decision or management decision in the BLM's RMP revisions and amendments. To clarify how this objective would be implemented by the BLM, on September 1, 2016, the Washington Office issued Instruction Memorandum (IM) 2016-143. ¹³ This IM only provides guidance on implementation of the land use plans, was not issued for public notice and comment, and therefore does not constitute rulemaking for the BLM. ¹</p> <p>IM 2016-143 acknowledges that the prioritization objective "does not prohibit leasing or development in GHMA or PHMA as the [sage-grouse plans] will allow for leasing and development by applying prioritization sequencing, stipulations, required design features, and other management measures to achieve the conservation objectives and provisions in the ... plans" (at page 2).</p> <p>Furthermore, the IM states <i>BLM state offices will use this Prioritization Sequence, these parcel specific factors, and the BLM's workload capacity and other workload priorities as the determine work plans for the oil and gas leasing program</i> (page 5). <i>BLM field offices should integrate the above prioritization sequence in their processing of pending permits as they consider the overall workload to fairly and objectively address their permitting prioritization. Only insofar as they are consistent with the prioritization approach described in this IM, BLM field offices may also take into consideration other prioritization considerations, such as considering permitting on a first-in/first-out basis to the extent possible, unit obligation wells, the efficiency to be gained in processing the easiest to complete first, the operator's drilling Plans, workload capacities, and other resource values</i> (Page 10).</p> <p>The BLM accepts parcel nominations each year on a quarterly basis, with each quarter being reserved for one BLM District Office. The resulting number of parcels nominated varies from District to District. A list of nominated parcels is sent by the State Office to the respective District Office to assess the degree of appropriate pre-lease sale analysis pursuant to the National Environmental Policy Act and other applicable law. It is then up to the respective District Office to determine how many lease parcels its staff have the capability to process within the given time frames.</p> <p>In the case of the nominated parcels sent to the North Central Montana District Office for the March 13, 2018 Lease Sale, there were 24 parcels within public or split estate lands managed by the North Central Montana District Office (Glasgow, Malta and Havre Field Offices). Of the 24 parcels nominated for the March 18, 2018 Oil/Gas Lease Sale, ten (3,213.7 acres) are within the General Habitat Management Area (GHMA) and two (760.0 acres) are within the Priority Habitat Management Area (PHMA) of the HiLine Sub-region of the Rocky Mountain Region Planning Area for GRSG. Two of the parcels (MTM 19010-B9 and 79010-C1) were deferred from previous lease sales prior to BLM's approval of the 2015 sage-grouse amendments in the ARMP. Now that RMP level standards are in place to conserve sage grouse habitat, these parcels were included in the March 13, 2018 lease sale.</p> <p>The BLM evaluated the parcels according to IM 2016-143 and determined that all parcels could be carried forward for analysis in the Lease EA because the 2015 ARMP includes standards that conserve sage-grouse habitat, and the North Central Montana staff had sufficient resources to process and analyze all 24 parcels. All parcels in PHMA are No Surface Occupancy (NSO 11-152). Within GHMA, surface occupancy and use is prohibited for oil and gas exploration</p>

¹ 4 See Wyoming Outdoor Council et al. (171 IBLA 153, 153): "A BLM instruction memorandum is not a regulation, has no legal force or effect ... "

Comment Number	Name	Comment Period	Comment Summary
<p>and development within 0.6 mile of the perimeter of Greater Sage-grouse leks (NSO 11-151), and surface-disturbing or disruptive activities may be restricted or prohibited within 2 miles of Greater Sage-Grouse leks (CSU 12-67). In addition, surface use is prohibited from December 1 through March 31 in sage-grouse winter range (TL 13-43). Had the North Central Montana District Office parcel list been larger or if there were inadequate staff resources, the Montana Dakotas State Office, in coordination with the North Central Montana District Office, could have trimmed the parcel list to a manageable size by excluding parcels in greater sage-grouse habitat in accordance with the prioritization sequence criteria and evaluation factors. However, for the March 13, 2018 Lease Sale, there was no need to apply the prioritization sequence criteria because North Central Montana staff were able to conduct the necessary analyses of all parcels.</p> <p>Finally, IM No. 2016-143 also concedes that the BLM's implementation of its prioritization must be "<i>subject to valid existing rights and any applicable law or regulation, including but not limited to, 30 U.S.C. 226(p) and 43 C.F.R. 3162.3-l(h).</i>" (IM 2016-143 at page 12). The BLM must follow several statutory and regulatory timeframes for processing of oil and gas leases, including those described in the IM. The BLM will continue to comply with these requirements when apportioning agency resources and prioritizing individual permit applications that propose federal oil and gas lease operations, as the IM recognizes.</p> <p>Appendix E was added to the EA, which describes BLM's compliance with IM 2016-143m and the results of the prioritization review.</p>			
32	Center for Biological Diversity	Scoping and EA	<p>BLM Must Analyze Impacts to Greater Sage-Grouse and Prioritize Leasing Outside Grouse Habitat</p> <p>BLM must analyze in detail indirect and cumulative impacts from oil and gas leasing and development on the greater sage-grouse and its habitat. Under BLM's own greater sage-grouse RMP amendments and the recent BLM Instruction Memorandum 2016-143, Implementation of Greater Sage-Grouse Resource Management Plan Revisions or Amendments -Oil & Gas Leasing and Development Sequential Prioritization (September 1, 2016) ("IM 2016-143"), BLM's amended RMPs require it to prioritize oil and gas leasing outside of greater sage-grouse priority and general habitats. (Affected parcels identified in letter by parcel number). The proposed leasing of nearly 24,000 acres of sage-grouse habitat and, in particular, over 13,500 acres of Priority Habitat Management Areas, requires careful examination of the consequences to the particular greater sage-grouse populations that may be affected.</p> <p>The BLM's recent sage-grouse amendments do not provide the level of protection that the best available science says is necessary to reverse sage-grouse decline and recover the species. BLM's proposed decision to lease the parcels within PHMA, GHMA, or RHMA will not conform to the Amended RMPs and the agency's IM 2016-143 unless an EIS fully evaluates site specific impacts to greater sage-grouse and prioritizes leasing outside both PHMAs and GHMAs. To be consistent with IM 2016-143, the EIS must contain sufficient detailed, site-specific analysis to provide BLM and the public with sufficient information to permit a reasonable determination of whether the proposed leasing action could be limited to areas of either non-sage-grouse habitat or areas of lower value habitat. The BLM is subject to clear direction in the IM 2016-143 and the RMP amendments that its sage-grouse RMP plans and conservation strategy rely not only on stipulations within designated habitats, but also on a larger strategy of prioritizing development outside of all sage-grouse habitats.</p>

Comment Number	Name	Comment Period	Comment Summary
			<p>In considering whether or not to make available for leasing additional sage-grouse habitats in the Billings FO and North Central Montana District, BLM must assess the current state of sage-grouse populations in management zone 1, the individual populations and seasonal habitats that may be affected by the proposed leases, and the implications of development for local and regional grouse survival and recovery.</p> <p>After years of deferring oil and gas leases in PHMAs, the BLM throws open Priority Habitats to future mineral leasing, with discretionary language about the priority for leasing being outside Priority Habitats which is completely nonbinding, under stipulations inadequate to protect sage-grouse from further significant population declines in the Priority Habitats. An NSO leasing of fluid minerals in Priority Habitats is insufficient to prevent major impacts even if no exceptions are permitted because it incentivizes leaseholders to line up drilling rigs and industrial infrastructure along the boundary of Priority Habitats to most easily and cheaply drill directionally to tap leased minerals underneath Priority Habitats. This would result in a significant loss of habitat function inside the PHMA. BLM must withdraw all parcels within PHMA from the lease sale.</p> <p>According to BLM's GRSR RMP Amendments, disturbance caps are subject to exceptions across Montana. This means that these measures have no certainty of implementation.</p> <p>Noise limits under the RMP are inadequate to protect sage grouse. BLM should consider a limit of 10 dBA above a defined ambient noise level of 15 dBA within 4 miles of leks and in identified wintering habitats, to be applied across all occupied sage grouse habitats. This should apply March 1 – June 30 in breeding and nesting habitats and also November 30 – March 1 on wintering habitats to protect sage grouse during this sensitive season.</p> <p>Under the Federal Lands Policy and Management Act, BLM must also evaluate the proposed lease parcels to determine whether or not they may affect management objectives for Areas of Critical Environmental Concern ("ACECs", including ACECs designated for the protection of sage-grouse habitat.</p>
<p>BLM Response: A lease parcel prioritization review was completed for the March 13, 2018 lease sale. Appendix E was added to the EA, which describes the Lease Sale Prioritization Sequence Consideration Factors and results of that analysis. Refer to Comment #31.</p> <p>Applicable stipulations were assigned to all of the parcels containing GHMA and PHMA. Chapter 3 of the EA discloses the effects of offering the parcels for lease on sage-grouse and sage-grouse habitat. None of the parcels overlay Areas of Critical Environmental Concern (ACECs).</p> <p>This EA does not consider any amendments to the 2015 ARMP, and concerns about the adequacy of the sage-grouse protections in the ARMP to conserve sage-grouse are outside the scope of this assessment. Instead, those concerns should be directed a planning process recently initiated to amend land use plans regarding greater sage-grouse conservation and prepare associated EIS's or EAs (Notice of Intent published in the Federal Register, October 11, 2017).</p>			

Comment Number	Name	Comment Period	Comment Summary
<p>This EA is tiered to the information and analysis and conforms to the decisions contained in the 2015 Rocky Mountain Region Record of Decision (ROD) and HiLine District Approved Resource Management Plan (HiLine ARMP), which includes a cumulative effects analysis for sage-grouse in Management Zone 1. The ROD and ARMP are in compliance with all Federal laws, regulations, and policy. The direct, indirect, and cumulative effects of oil and gas leasing across the HiLine District Office were evaluated in the FEIS for the ARMP.</p> <p>As disclosed in Chapter 3, offering the 24 parcels for lease would have no direct effects on special status wildlife species and habitat. Any potential effects on special status wildlife resources from the sale of lease parcels would occur at the time the leases are developed. A site-specific analysis to further avoid and minimize impacts to sage-grouse and sage-grouse habitat would occur at the Application for Permit to Drill (APD) stage when a specific proposal is identified.</p>			

Wildlife and Surface Water

Comment Number	Name	Comment Period	Comment Summary
33	Bush, Jodi; USFWS	Scoping	<p>Listed and proposed threatened and endangered species, candidate species, and designated critical habitat that may be present in counties containing the proposed lease parcels (are listed below). If a federal agency authorizes, funds, or carries out a proposed action, the responsible federal agency, or its delegated agent, is required to evaluate whether the action “may affect” listed species or critical habitat. If the federal agency or its designated agent determines the action “may affect, is likely to adversely affect” listed species or critical habitat, the responsible federal agency shall request formal section 7 consultation with this office. If the evaluation shows a “may affect, not likely to adversely affect” determination, concurrence from this office is required. If the evaluation shows a “no effect” determination for listed species or critical habitat, further consultation is not necessary.</p> <ul style="list-style-type: none"> • Blaine County: Pallid sturgeon • Chouteau County: Pallid sturgeon, Canada lynx, Piping plover, Red knot, Grizzly bear • Glacier County: Grizzly bear, Canada lynx, Bull trout, Wolverine, Meltwater lednian stonefly, Western glacier stonefly, Whitebark pine • Hill: None • Liberty County: Red knot, Grizzly bear, Whitebark pine • Phillips County: Pallid Sturgeon, Piping plover, Black-footed ferret, Whooping crane, Interior least tern • Red knot • Valley County: Pallid sturgeon, Interior least tern, Whooping crane, Piping plover, Red knot

Comment Number	Name	Comment Period	Comment Summary
<p>BLM Response: The EA was updated to include discussion of listed species potentially present in the lease parcels. Offering parcels for lease would have no effect to red knot, piping plover, and whooping crane as no ground disturbance would occur. Potential impacts to habitat for red knot, piping plover and whooping crane from subsequent development at the APD stage would be mitigated by applying controlled surface use (CSU 12-25) and no surface occupancy (NSO 11-70) stipulations to all parcels that contain riparian and wetland habitat. Additional site-specific NEPA would be conducted at the time an APD is submitted and consultation with FWS would be completed, if necessary.</p>			
34	MT FWP	Scoping	<p>MT FWP Recommends the following stipulations be added:</p> <p>MTM 108952-E8: NSO 11-70</p> <p>MTM 108952-E9: CSU 12-25/NSO 11-70, NSO 11-151</p> <p>MTM 108952-FA: CSU 12-67</p> <p>MTM 108952-FB: CSU 12-25/NSO 11-70</p> <p>MTM 108952-FC: TL 13-46</p> <p>MTM 108952-CU: CSU 12-25/NSO 11-70</p> <p>MTM 108952-E7: TL 13-47</p> <p>MTM 79010-PX: NSO 11-149/NSO 11-154 (Mt Plover)</p> <p>I am not sure which stipulation is better/BLM prefers for wetland/riparian areas CSU 12-25/NSO 11-70, so I included both on some comments if neither was present. Not sure if 11-70 bans all use in area (including roads etc which would not be reasonable), but CSU 12-25 seems like it could allowing structures within riparian/wetland/floodplain areas/buffer which after the spill on Listou I would prefer not to see. I would take these as tentative comments/suggestions. I wanted to get them in before the deadline, but had hoped to talk to you first to discuss/modify.</p>
<p>BLM Response: All of these comments were addressed and these stipulations were added to the applicable parcels in the EA that went out for comment on September 29, 2017.</p>			
35	MT FWP	EA	<p>MT FWP recommends the following stipulations on parcels in Chouteau County:</p> <p>MTM 93096: Mule deer winter range -No surface use December 1 -March 31. A ¼-mile buffer should be maintained along Pondera Coulee, a direct tributary to a navigable waterbody.</p>
<p>BLM Response: TL 13-48 was already placed on all lands on 93096. This TL prohibits surface occupancy and use from December 1 through May 15 in big game winter range, which is more stringent than the MT FWP recommendation.</p> <p>NSO 11-70 was already placed on all lands in 93096. NSO 11-70 prohibits surface occupancy and use within perennial or intermittent streams, lakes, ponds, reservoirs, 100-year floodplains, wetlands, and riparian areas. The minimum size stipulations are applied to is a 40-acre aliquot part, which would cover the water resource and a buffer area.</p>			
36	MT FWP	EA	<p>MT FWP recommends the following stipulations on parcels in Liberty County:</p> <p>MTM 108952-CR: Mule deer winter range -No surface use December 1 -March 31.</p>

Comment Number	Name	Comment Period	Comment Summary
			MTM 108952-CT: Mule deer winter range -No surface use December 1 -March 31.
BLM Response: On November 13, 2017, MT FWP sent the BLM the 2008 layer for mule deer winter range distribution (most current version), which shows an expanded range into parcels CR and CT. The BLM added TL 13-48 to these parcels in Liberty County. Note, the BLM timing limitation dates are December 1 through May 15, which is more stringent than the dates proposed by MT FWP.			

Raptors, Migratory Birds

Comment Number	Name	Comment Period	Comment Summary
37	Bush, Jodi	Scoping	We recommend that the EA address potential impacts to eagles. The BGEPA prohibits anyone, without a permit issued by the Secretary of the Interior, from taking bald or golden eagles, including their parts, nests, or eggs. The Service recommends use of appropriate eagle use and habitat survey results combined with project design, construction, and operational features and strategies designed to avoid impacts to eagles and important use areas (nests, foraging areas or roost sites that eagles rely on for breeding, sheltering, or feeding, as well as the surrounding landscape features that are essential for the continued viability of the sites for breeding, feeding or sheltering eagles) in order to minimize the risk of eagle take.
BLM Response: Impacts to eagles are discussed in the wildlife section of chapter 3 of the EA. There are no direct impacts to eagles from the proposed action. Any impacts would occur at the time of development. During NEPA analysis after an APD submission, more specific analysis concerning impacts to eagles would be conducted. At this time, during site specific analysis, conservation measures, proposed mitigation and conditions of approval will be applied to minimize impacts to eagles.			
38	Bush, Jodi; USFWS	Scoping	Where construction or disturbance is proposed in proximity to important bald eagle use areas, we recommend that at a minimum, the operator comply with siting recommendations, seasonal restrictions, and distance buffers specified in the 2010 Montana Bald Eagle Management Guidelines: An Addendum to Montana Bald Eagle Management Plan (1994). The Service's May 2007, National Bald Eagle Management Guidelines contains additional information on protecting bald eagles from disturbance due to human activity.
BLM Response: Your recommendation would be applied as a Condition of Approval (COA) during the NEPA analysis of the APD (development phase).			
39	Bush, Jodi; USFWS	Scoping	The Service has not issued golden eagle management guidelines. However, appropriate buffers for nests and other important use areas based on site-specific conditions should be developed in conjunction with this office if project activities are proposed in proximity to such areas. The Service generally recommends avoidance of occupied nest site disturbance between January 1 and August 15, or until young have fledged. Depending on site-specific conditions, the typically recommended 0.5-mile buffer distance for bald eagle important use areas may be inadequate to ensure avoidance of golden eagle disturbance; in such cases larger buffers may be warranted. We therefore recommend avoidance of occupied golden eagle territories where practicable; maximizing

Comment Number	Name	Comment Period	Comment Summary
			distances between nests (including alternate nests) and the siting of proposed project features; avoidance of occupied nest site disturbance during the nesting season; and avoidance / minimization of impacts to important golden eagle habitat (e.g., shrub-steppe and native grasslands) within golden eagle territories where possible.
BLM Response: At the APD stage, NEPA analysis will disclose impacts to golden eagles and nest sites on a site-specific basis, allowing for appropriate conservation measures to be applied through conditions of approval. The HiLine ARMP prohibits surface use within ½ mile of active raptor nest sites from March 1 – July 31 (TL 13-45), which has been applied to all parcels. Depending on site-specific conditions, your recommendation would be considered to ensure appropriate conservation measures are applied during the development phase of a project. Thank you.			
40	Bush, Jodi; USFWS	Scoping	We recommend that the EA address potential impacts to migratory birds. The MBTA prohibits the taking, killing, possession, and transportation, (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically permitted. To the maximum extent practicable, the Service recommends that construction activities be scheduled outside of the peak bird breeding season (approximately April 15-July 15) so as not to disrupt nesting birds. If work is proposed to take place during the peak breeding season or at any other time which may result in take of migratory birds, their eggs, or active nests, the Service recommends that project proponents take all practicable measures to avoid and minimize take, such as maintaining adequate buffers, to protect the birds until the young have fledged. Active nests may not be removed without a permit from the Service's Migratory Bird Management Division.
BLM Response. The HiLine ARMP has lease stipulations with waivers, exceptions, and modifications (WEMs) for raptors (NSO 11-157 and TL 13-45) and Sprague's pipit (TL-13-47) that were applied to all parcels. The raptor timing is March 1 through July 31 within one-half mile. The pipit timing is April 15 through July 15. Impacts from the act of leasing the parcels, to migratory birds, are disclosed in the wildlife section of chapter 3. If a parcel has an APD submitted, site specific NEPA analysis will disclose more specific impacts and conditions of approval will be applied to ensure migratory birds/habitat are protected.			
41	Bush, Jodi; USFWS	Scoping	The Service has developed, and continues to revise and develop, general and industry-specific conservation measures (including measures for oil and gas development) for avoiding and minimizing impacts to birds (https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php). We recommend referencing and incorporating these resources into the EA as appropriate. We recommend that any required new power lines be buried where feasible. If this is not feasible, they should be constructed according to electrocution and collision prevention guidelines developed by the Avian Power Line Interaction Committee (APLIC): 2006 Suggested Practices for Avian Protection on Power Lines and Reducing Avian Collisions with Power Lines: The State of the Art in 2012. We also recommend coordinating with the NDGFD to identify impacts to "Focus Areas" or "Species of Conservation Priority" as described in the 2015 North Dakota State Wildlife Action Plan.
BLM Response: Thank you. These resources will be considered and incorporated into conditions of approval if/when an APD is submitted for a lease parcel. At this time, the proposed action is to "lease" a parcel; therefore, there are no site-specific details or proposed action that describes activities on the ground. At the time of an APD, site-specific NEPA analysis will be conducted to disclose impacts to birds and all wildlife resources; furthermore, during this analysis, conservation measures will be written into the conditions of approval to minimize impacts to birds and bird habitat.			

FONSI

Comment Number	Name	Comment Period	Comment Summary
42	Center for Biological Diversity	Scoping and EA	<p>BLM Must Prepare an Environmental Impact Statement BLM is required under NEPA to prepare an EIS to support this proposed project. This is especially true in light of the likelihood that fracking would occur on the leases. Several of these “significance factors” are implicated in the lease sale and clearly warrant the preparation of an EIS:</p> <p>1) The effects on the human environment will be highly controversial. A project is highly controversial when substantial questions are raised as to whether a project may cause significant degradation of a resource, or when there is a substantial dispute about the size, nature, or effect of the action. There is abundant evidence that hydraulic fracturing can cause significant impacts to human health, water resources, air quality, imperiled species, and seismicity. The level of controversy associated with fracking and its expansion in association with the lease sale is sufficient to trigger the need for an EIS. 40 C.F.R. § 1508.27(b)(4).</p> <p>2) The lease sale presents highly uncertain or unknown risks. 40 C.F.R. § 1508.27(b)(5). Preparation of an EIS is mandated where uncertainty maybe be resolved by further collection of data, or where the collection of such data may prevent speculation on potential effects. While it is clear that oil and gas activities can cause great harm, there remains much to be learned about the specific pathways through which harm may occur and the potential degree of harm that may result.</p> <p>3) The lease sale poses threats to public health and safety. The use of fracking fluid, which is likely to occur as a result of the lease sale, poses a major threat to public health and safety and therefore constitutes a significant impact.</p> <p>4) The action may adversely affect listed and agency sensitive species and their habitat. 40 C.F.R. § 1508.27(B)(9). Preliminary review of the proposed parcels indicates that six parcels (MTM 79010-JJ, MTM 79010-8R, MTM 105431-JW, MTM 108952-DU, MTM 108952-FT, and MTM 108952-FU) would allow oil and gas drilling, and associated infrastructure and increased human use, within five miles of designated critical habitat for the threatened Canada lynx.¹³ Another twenty-six parcels comprising 23972.27 acres, would affect designated habitat for the BLM-sensitive greater sage-grouse. Parcels parcels MTM 79010-8R, MTM 79010-JJ, and MTM 105431-HW also contain potential habitat for the Yellowstone cutthroat trout, a BLM Montana sensitive species.</p> <p>BLM Response: 40 CFR § 1508.9 provides that a Federal agency may prepare an Environmental Assessment to 1) briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact, 2) aid an agency’s compliance with the Act when no environmental impact statement is necessary, and 3) facilitate preparation of a statement when one is necessary.</p>

Comment Number	Name	Comment Period	Comment Summary
<p>This EA is tiered to the information and analysis and conforms to the decisions contained in the 2015 Rocky Mountain Region Record of Decision (ROD) and HiLine Approved Resource Management Plan (HiLine ARMP). The ROD and ARMP are in compliance with all Federal laws, regulations, and policy. The direct, indirect, and cumulative effects of oil and gas leasing across the HiLine District were evaluated in the FEIS for the ARMP.</p> <p>The Proposed Action would be to offer 24 lease parcels of Federal minerals for oil and gas leasing covering approximately 6,892 Federal mineral acres (4,942 acres BLM administered surface and 1,950 acres private surface) located in Glacier, Liberty, Hill, Chouteau, Blaine, Phillips, and Valley counties. The responsible official will determine whether or not to offer oil and gas leases on the lease parcels identified, and, if so, identify stipulations that would be included with specific lease parcels at the time of lease sale. The decision will not authorize any ground disturbance. Upon receipt of an Application for a Permit to Drill (APD), the BLM would initiate a site-specific NEPA analysis with public review opportunities. The decision to offer these parcels for lease does not rise to the level of significant that would warrant preparation of an EIS. Refer to the Draft FONSI.</p>			

Mineral Leasing Act (MLA).

Comment Number	Name	Comment Period	Comment Summary
43	Wild Earth Guardians	EA	<p>The Proposed Leasing in the Billings and Butte FOs and the North Central Montana District Office Appears to Violate the Mineral Leasing Act.</p> <p>It does not appear that most of the lease parcels contain lands that are known or believed to contain oil or gas deposits. It does not appear that there is any intent of any lessee to diligently develop many of the proposed parcels.</p> <p>The Mineral Leasing Act allows leasing only where there are lands that are “known or believed to contain oil or gas deposits.” 30 U.S.C. § 226(a). The agency appears to have undertaken no such diligence in confirming whether the oil and gas industry’s supposed interest in the proposed lease parcels is rooted in the existence or believed existence of oil and gas deposits.</p> <p>The BLM cannot lease lands for oil and gas development if there is no intent to diligently develop. The agency confirmed this in a recent decision denying the issuance of an oil and gas lease to a lessee, explaining: A fundamental requirement of every oil and gas lease, as stated in Section 4 on page 3 of Form 3100-1, is the requirement that the “Lessee must exercise reasonable diligence in developing and producing, and must prevent unnecessary damage to, loss of, or waste of leased resources.” This diligent development requirement has its basis in the Mineral Leasing Act of 1920, as amended. See 30 U.S.C. § 187. Exhibit 21, BLM, Oil and Gas Noncompetitive</p>

Comment Number	Name	Comment Period	Comment Summary
			Lease Offers Rejected (Oct. 18, 2016). Here, the BLM appears to explicitly acknowledge that there is no explicit intent to develop any of the proposed lease parcels.
<p>BLM Response: The method used to determine a potential Reasonably Foreseeable Development scenario for the lease sale is outlined in Section 3.2 of the EA. The 2015 HiLine ARMP and associated FEIS describes the proposed counties within a development potential, which demonstrates the presence of oil and gas deposits within the respective counties.</p> <p>Low development potential does not indicate the absence of oil and gas in the area. There are numerous factors that contribute to development potential in an area. As stated in Section 3.2 of the EA, "These well numbers are only an estimate based on historical drilling, geologic data, resource expertise, and current development in the area." Development potential can change as factors change and influence development in the area one way or another.</p> <p>The Utah BLM decision to reject lease offers was based on Ms. Williams' statements made to the media, which disclosed her intentions if the parcels were issued to her or Tempest Exploration. Ms. Williams' intentions were in violation of the diligent development requirement in Form 3100-1, which required BLM to reject the offers. The CO State Office decision to not offer 20 parcels for the June 2017 lease sale was based on the parcel locations within low potential energy and reduced industry interest in the geographic area, as well as concern from local government and the public. The State Director wants to make sure the parcels are still appropriate for leasing. These lands are still considered open for oil and gas leasing unless determined closed for oil and gas leasing in the respective Field Office land use plan, and could be re-evaluated in a future lease sale. The Montana/Dakotas State Office is unaware of potential lessee intentions to violate the diligent development requirement.</p> <p>Leases are issued in accordance to Federal laws, regulations, and policy. The 2015 HiLine ARMP did not designate the parcel lands under review as closed to oil and gas leasing; therefore, the HiLine District applied the necessary RMP approved stipulations to the respective lease parcels, which include stipulations associated with resources and resource uses identified in the 2015 HiLine ARMP. See Appendix A.</p>			
44	Center for Biological Diversity	Scoping and EA	<p>BLM Must Ensure That the Federal Land Policy and Management Act and the Mineral Leasing Act Are Not Violated</p> <p>The MLA requires BLM to demand lessees take all reasonable measures to prevent the waste of natural gas. 30 U.S.C. § 225; see also id. § 187. Pursuant to FLPMA, BLM must "take any action necessary to prevent unnecessary or undue degradation of the [public] lands." 43 U.S.C. § 1732(b).</p> <p>Greenhouse gas pollution for example causes "undue" degradation. Even if the activity causing the degradation may be "necessary," where greenhouse gas pollution is avoidable, it is still "unnecessary" degradation. 43 U.S.C. § 1732(b).</p>
<p>BLM Response: A decision to offer parcels for lease would not cause unnecessary or undue degradation and is consistent with existing laws, regulations, and policies, including the HiLine ARMP, NEPA, MLA, and FLPMA. Upon receipt of an Application for a Permit to Drill (APD), the BLM would initiate a site-specific NEPA analysis with public review opportunities. See Response to Comment #12.</p>			